



## 2004 Legislative Priorities

Removal of Unlawful Detainer on Credit Reports  
Lead Department: Housing Commission

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### **Background:**

- What governmental functions are at issue? The City of San Diego recently formed an Affordable Housing Task Force to explore ways to address issues surrounding the affordable housing crisis. One recommendation of the Task Force was to pursue legislation that would prevent “unlawful detainers” on tenant credit reports when the eviction case has been dismissed. This legislative effort would not directly impact any governmental function; however, it would potentially assist low-income renters within the City by eliminating barriers to accessing rental housing stock.
- How are these functions performed? Rental disputes regularly occur between Landlords and Tenants in the rental housing market. A rental dispute can result in a “black mark” on a tenant’s credit report called an “Unlawful Detainer”. Often time these disputes are dismissed in court or in mediation; however, credit reporting agencies retain an “unlawful detainer” label on the effected tenant’s credit report. The proposed legislation would require credit reporting agencies to remove the “unlawful detainer” label once a case has been dismissed.
- Why is legislation required? A landlord is less likely to rent to a tenant with an “unlawful detainer” on their credit report. In a tight rental market, an “unlawful detainer” on a tenant’s credit report can result in a significant barrier to a renter looking for housing.
- How would the proposal permit the City to perform more effectively?

### **Proposal**

- Specify what sections of state law require amendment. Unsure. Most likely requires both State and Federal action.
- Provide specific amendment language you seek. Require credit reporting agencies to remove an “unlawful detainer” label from a tenant’s credit report if the eviction case was dismissed.

### **Strategy**

- List likely supporters

Apartment Association, renters rights organizations, affordable housing organizations

- List likely opponents

Credit reporting agencies

- List possible Sponsors